

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
PHILADELPHIA DIVISION**

In Re: STEVEN M JOHNSON DEBTOR(S) M&T Bank MOVANT V. STEVEN M JOHNSON Debtor(s) KENNETH E. WEST Trustee Respondent(s)	Chapter 13 Case Number: 24-14328-djb
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**MOTION FOR RELIEF FROM AUTOMATIC STAY WITH RESPECT TO PROPERTY:
38 GREEN STREET, MORRISVILLE, PA 19067**

M&T Bank, through its Counsel, McCalla Raymer Leibert Pierce, LLP, respectfully requests the Court grant its Motion for Relief and in support thereof respectfully represents as follows:

1. Movant is M&T Bank (hereafter referred to as "Movant").
2. Debtor(s), Steven M Johnson (hereinafter, "Debtor"), is, upon information and belief, adult individual who is the owner of the property located 38 GREEN STREET, MORRISVILLE, PA 19067.
3. On April 25, 2014, Steven M Johnson, executed and delivered a Note in the principal sum of \$101,783.00 to Prosperity Home Mortgage, LLC. A copy of the Note is attached as Exhibit "A" and is hereby incorporated by reference.
4. As security for the repayment of the Note, Steven M Johnson ("Borrower"), executed and delivered a Mortgage to Mortgage Electronic Registration Systems, Inc., solely as nominee for Prosperity Home Mortgage, LLC. The Mortgage was duly recorded in the Office of the Commissioner of Records in and for Bucks County on April 30, 2014, as Instrument 2014020726. A copy of the Mortgage is attached as Exhibit "B" and is hereby incorporated by reference.
5. The Mortgage encumbers Debtor's real property located at 38 GREEN STREET, MORRISVILLE, PA 19067.
6. By assignment of mortgage, the loan was ultimately assigned to M&T BANK. A true and correct copy of the assignment is attached as Exhibit "C" and is hereby incorporated by

reference.

7. Debtor(s) filed the instant Chapter 13 Bankruptcy on December 4, 2024 and, as a result, any state court proceedings were stayed.
8. Debtor's mortgage loan is in default and is currently due for the February 1, 2025 payment and each subsequent payment through the date of the motion. Debtor has failed to make the following post-petition payments to Movant:

POST-PETITION PAYMENTS IN DEFAULT

Monthly Payments in Default.....			2/1/2025-4/1/2025
Due Date	Due Amount	# Months	
			Total Due
2/1/25-4/1/25	\$1,098.09	3	\$3,294.27
Suspense Balance:.....			(\$1.91)
Total Amounts Due as of April 8, 2025:			\$3,292.36

9. As a result of the Debtor's default and failure to make payments or to otherwise adequately provide for Movant in the bankruptcy filing, Movant is not adequately protected and is entitled to relief.
10. As of April 8, 2025, the Unpaid Principal Balance of the loan is \$91,489.74. The total debt of the loan is \$162,281.48.
11. M&T Bank services the loan on the Property referenced in this Motion. In the event the automatic stay in this case is modified, this case dismisses, and/or the Debtor obtains a discharge and a foreclosure action is commenced on the mortgaged property, the foreclosure will be conducted in the name of M&T Bank. Movant, directly or through an agent, has possession of the Note. The Note is either made payable to Movant or has been duly endorsed.
12. To the extent the Court does not find that relief is appropriate, then Movant requests that the stay be conditioned such that in the event the Debtor(s) fall(s) behind on post-petition payments or trustee payments that Movant may receive relief upon default by the Debtor(s) of the terms of the conditional order.
13. Movant requests that the stay of Bankruptcy Rule 4001(a)(3) be waived.
14. In addition to the other amounts due to Movant reflected in this Motion, as of the date hereof, in connection with seeking the relief requested in this Motion, Movant will incur legal fees and costs. Attorney fees and court filing costs not to exceed \$1,549.00 amount will be incurred for representation in this matter. Movant reserves all rights to seek an award or allowance of such fees and expenses in accordance with applicable loan documents and related agreements, the Bankruptcy Code and otherwise applicable law.

WHEREFORE, Movant, M&T Bank, respectfully requests this Court to grant the appropriate relief under 11 U.S.C. §362 from the automatic stay as set forth in the proposed order together with waiver of Bankruptcy Rule 4001(a)(3).

Respectfully Submitted:

McCalla Raymer Leibert Pierce, LLP

By: /s/ Brian Nicholas

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Date: 04/30/2025